



# PLANNING COMMISSION AGENDA

NAT DIBUDUO, Chair

Commission Members  
LEE BRAND, Vice Chair  
NUEL BROWN  
JEFFREY HARRINGTON  
HAL KISSLER  
CHARLES VANG  
JENNIFER WHITE

Planning and Development  
Director/Secretary  
NICK P. YOVINO

Deputy City Attorney  
KATHRYN C. PHELAN

*The Planning Commission welcomes you to this meeting.*

April 21, 2004

Wednesday

6:00 p.m. to 9:30 p.m.

COUNCIL CHAMBER

2600 FRESNO STREET

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development staff at 621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street, and parking restrictions have been relaxed in these lots for those in attendance at the Planning Commission meeting.

## **I. ROLL CALL**

## **II. PLEDGE OF ALLEGIANCE**

## **III. PROCEDURES**

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all testimony given will be limited to five minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating that time has expired.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

#### **IV. AGENDA APPROVAL**

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

#### **V. CONSENT CALENDAR**

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

##### **A. Minutes**

##### **B. Communications**

1. Notice of approval by the Planning and Development Department Director, in accordance with Section 12-1005.2 of the Fresno Municipal Code, of a Revised Tentative Map of Tract No. 5010, a 95-lot planned development subdivision.
2. Notice of approval by the Planning and Development Department Director, in accordance with Section 12-1005.2 of the Fresno Municipal Code, of a Revised Tentative Map of Tract No. 5096, a 76-lot single family residential subdivision.

##### **C. Entitlements**

#### **VI. REPORTS BY COMMISSIONERS**

## **VII. CONTINUED MATTERS**

- A. Consideration of Rezone Application No. R-03-68, Vesting Tentative Tract Map No. 5261/UGM and environmental findings, filed by Ciao Properties, for 10.2 acres located on the southwest corner of North Maple and East Copper Avenues. ***(Continued from meeting of March 17, 2004.)***
1. Environmental Assessment No. R-03-68/T-5261, determination of initial study to file a Finding of Conformance with the MEIR No. 10130 for the 2025 Fresno General Plan.
  2. Rezone Application No. R-03-68, proposes to rezone the project site from the AL-20 *(Limited Twenty Acre Agricultural, located in the County of Fresno)* zone district to the R-1/UGM *(Single Family Residential/Urban Growth Management)* zone district.
  3. Vesting Tentative Tract Map No. 5261/UGM, proposing a 21-lot single family residential subdivision.
    - Woodward Park Community Plan Area
    - Council District 6 (Councilmember Duncan)
    - Staff Member: Dawn Marple
    - Staff Recommendation: Approve Tentative Tract Map; Recommend Approval of Rezone Application
    - Will be considered by City Council (Rezone Application)

## **VIII. NEW MATTERS**

- A. Consideration of Plan Amendment Application No. A-03-07 and Rezone Application No. R-03-49 and environmental findings, filed by Dirk Poeschel on behalf of WCM Land L.P. and Norman Liddell, for 6.69 acres located on the east side of North Polk Avenue between West River Vista Drive and the San Joaquin River Bluff.
1. Environmental Assessment No. A-03-07/R-03-49, determination of initial study to file a Mitigated Negative Declaration.
  2. Plan Amendment Application No. A-03-07, requesting an amendment to the 2025 Fresno General Plan, the Bullard Community Plan, and the Sierra Sky Park Land Use Policy Plan from the medium-low density residential planned land use to the medium density residential planned land use.
  3. Rezone Application No. R-03-49, requesting to rezone the subject property from the AE-20/BP/UGM *(Exclusive Twenty Acre-Agricultural/Bluff Preservation Overlay/Urban Growth Management)* zone district classification to the R-1/BP/UGM *(Single Family Residential/Bluff Preservation Overlay/Urban Growth Management)* zone district.
    - Bullard Community Plan Area
    - Sierra Sky Park Land Use Policy Plan
    - Council District 2 (Councilmember Calhoun)
    - Staff Member: Bonique Salinas
    - Staff Recommendation: Recommend Approval
    - Will be considered by City Council

**VIII. NEW MATTERS - Continued**

- B. Consideration of Plan Amendment Application No. A-03-14, Rezone Application No. R-04-23, Vesting Tentative Tract Map No. T-5262 and environment findings, filed by McMillin Homes for 26.7 acres of property located on the northwest corner of South Peach and East Butler Avenues.
1. Environmental Assessment No. A-03-14/R-04-23/T-5262, determination of initial study to file a Mitigated Negative Declaration.
  2. Plan Amendment Application No. A-03-14, requesting to amend the 2025 Fresno General Plan, the Roosevelt Community Plan and the Butler-Willow Specific Plan for the entire 26.7-acre site, located on the northwest corner of South Peach and East Butler Avenues, from the office commercial planned land use designation to the medium-low density residential land use designation.
  3. Rezone Application No. R-04-23, proposing to rezone a 7.5-acre portion of the site from R-P/BA-15-30 (*Residential and Professional Office/Boulevard Area with 15-30 feet of landscaping*) to the R-1/BA-15-30 (*Single Family Residential/Boulevard Area with 15-30 feet of landscaping*) zone district.
  4. Vesting Tentative Tract Map No. T-5262, proposing to subdivide the entire 26.7-acre site into 113 single family residential lots conforming with the R-1/BA-15-30 zone district.
    - Roosevelt Community Plan Area
    - Butler-Willow Specific Plan
    - Council District 5 (Councilmember Dages)
    - Staff Member: Shelby Chamberlain
    - Staff Recommendation: Approve Tentative Tract Map; Recommend Approval of Plan Amendment and Rezone Applications
    - Will be considered by City Council (Plan Amendment and Rezone Applications)
- C. Consideration of Vesting Tentative Tract No. 5259/UGM and Rezone Application No. R-03-61 and environmental findings, filed by Artel Farms, Inc., for 3.6 acres located on the east side of North Polk Avenue between West Gettysburg and West Ashlan Avenues.
1. Environmental Assessment No. R-03-61/T-5259/UGM, determination of initial study to file a Finding of Conformance with MEIR No. 10130 for the 2025 Fresno General Plan.
  2. Vesting Tentative Tract No. 5259/UGM, a 12-lot single family residential subdivision.
  3. Rezone Application No. R-03-61, requesting to rezone the subject property from R-1-C/UGM (*Single Family Residential/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.
    - West Area Community Plan Area
    - Council District 2 (Councilmember Calhoun)
    - Staff Member: Paul Bernal
    - Staff Recommendation: Recommend Approval
    - Will be considered by City Council

**VIII. NEW MATTERS - Continued**

- D. Consideration of Vesting Tentative Tract No. 5235/UGM, Rezone Application No. R-03-55, and Conditional Use Permit Application No. C-03-191, filed by Bennett Development, Inc., for the development of 75 acres located on the north side of East Church Avenue between South Peach and South Minnewawa Avenues.
1. Environmental Assessment No. T-5235/R-03-55/C-03-191, determination of initial study to file a Mitigated Negative Declaration.
  2. Vesting Tentative Tract No. 5235/UGM, a 240-lot (plus five outlots) single family residential subdivision.
  3. Rezone Application No. R-03-55, requesting to rezone the project site from the AE-5/UGM and R-A/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management and Single Family Residential-Agricultural/Urban Growth Management*) zone districts to the R-1/UGM, R-2/UGM and C-1/UGM (*Single Family Residential/Urban Growth Management, Low Density Multiple Family Residential/Urban Growth Management and Neighborhood Shopping Center District/Urban Growth Management*) zone districts.
  4. Conditional Use Permit Application No. C-03-191, to authorize the future development of a 176-unit multiple family residential development.
    - Roosevelt Community Plan Area
    - Council District 5 (Councilmember Dages)
    - Staff Member: David Braun
    - Staff Recommendation: Approve Tentative Tract Map and Conditional Use Permit Application; Recommend Approval of Rezone Application
    - Will be considered by City Council
- E. Consideration of Vesting Tentative Tract Map No. 5224/UGM and environmental findings, filed by Land Dynamics, for 75.6 acres of property located on the north side of West Barstow Avenue between Highway 99 and Bryan Avenue.
1. Environmental Assessment No. T-5224, determination of initial study to file a Mitigated Negative Declaration.
  2. Vesting Tentative Tract Map No. 5224/UGM proposing to subdivide the 75.6-acre property into 187 lots conforming with the property's R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district, with two outlots and a 20-acre remainder parcel.
    - West Area Community Plan Area
    - Council District 2 (Councilmember Calhoun)
    - Staff Member: Shelby Chamberlain
    - Staff Recommendation: Approve Tentative Tract Map
    - Will not be considered by City Council

**IX. REPORT FROM SECRETARY**

**X. UNSCHEDULED ORAL COMMUNICATIONS**

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

**XI. ADJOURNMENT**